THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 4816 of 2007

09-03-2007

Between:-

Manoharlal Kabra

Petitioner

And

The Chief Rationing Officer,
Twin Cities at S.P. Road,
Secunderabad and another.

Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 4816 of 2007

Oral order:

The petitioner claims to be a license-holder under the provisions of the Andhra Pradesh Scheduled Commodities Dealers (Licensing and Distribution) Order, 1982 (for short 'the Control Order').

On 17-02-2007 around 3-30 P.M., the Assistant Supply Officer, Civil Supplies Department, Circle No.III, Hyderabad and his staff inspected the premises of M/s. Sarveshwar Dall Mill, Chandrayanagutta, Hyderabad and found irregularities in the maintenance of the stock register, failure to submit Form-C return; and variations between the stock on ground and the entries in the stock registers. It is *prima facie* assumed that the petitioner is indulging in speculative trade in contravention of the

conditions of license and the provisions of the Control Order and the entire ground stocks of Redgram Dall, Redgram Whole, Husk, Bengalgram Dall (Chana dall) and Moongdal, in all of a value at Rs.33,76,500-00 were seized with and the records and seized stocks kept in the custody of the proprietor of M/s. Mohan Dall Mill, Chandrayanagutta, Hyderabad.

On 19-02-2007 the petitioner submitted a representation to the first respondent for interim release of the seized stocks. Further representations were submitted on 23-02-2007 and 26-02-2007. Petitioner's grievance is that his Mill and business premises have also been sealed thereby disabling him to pursue business. No case under Section 6-A of the Essential Commodities Act, 1955 (for short 'the Act') has not been formally initiated nor has the first respondent disposed of the petitioner's application for interim release of the seized stocks.

In the aforesaid circumstances, after hearing the learned Government Pleader for Civil Supplies also, the writ petition is disposed of directing the first respondent to expeditiously and in any event within a period of thirty (30) days from the date of receipt of a copy of this order, consider and dispose of the petitioner's representations including the one dated 19-02-2007 for interim release of the seized commodities. The first respondent shall consider the application for interim relief independently

and without reference to any observations in this writ petition and in accordance with law and the lawful exercise of his discretion.

The writ petition is disposed of at the stage of admission. There shall be no order as to costs.

_____

GODA RAGHURAM, J

Dated:09-03-2007
Pvks/*